

**R.D. # 03-10
East Brunswick, NJ**

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 22**

ACULABS, INC.¹

Employer

and

CASE 22-RC-13077

**DISTRICT 1199J, NATIONAL UNION OF
HOSPITAL AND HEALTHCARE EMPLOYEES,
AFSCME, AFL-CIO²**

Petitioner

DECISION AND DIRECTION OF ELECTION

The Petitioner, District 1199J, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO, filed a petition under Section 9(c) of the National Labor Relations Act seeking to represent a unit of approximately 40 employees consisting of all full-time, regular part-time and per diem phlebotomists employed by the Employer, Aculabs, Inc., at its Little Falls, New Jersey location. The Employer contends that the scope of the unit sought by Petitioner is inappropriate. Rather, the Employer claims that only a multi-location, company-wide unit consisting of all 206 phlebotomists employed at its seven facilities is appropriate.

¹ The name of the Employer appears as amended at the hearing.

² The name of the Union appears as amended at the hearing.

I have considered the evidence and the arguments presented by the parties. I find for the reasons discussed *infra* that the petitioned for unit is an appropriate unit in scope and will order an election therein.

Under Section 3(b) of the Act, I have authority to hear and decide this matter on behalf of the National Labor Relations Board. Upon the entire record in this proceeding,³ I find:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and hereby affirmed;
2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein;⁴
3. The labor organization involved claims to represent certain employees of the Employer;⁵
4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and 2(7) of the Act;⁶
5. The appropriate unit for the purpose of collective bargaining within the meaning of Section 9(b) of the Act is as follows:

All full time and regular part-time phlebotomists employed by the Employer at its Little Falls, New Jersey facility excluding team leaders, supervisory employees, office clericals, drivers and guards as defined in the Act and all other employees.

³ Briefs filed by the parties have been duly considered.

⁴ The parties stipulated, and I so find, that the Employer, Aculabs, Inc., a New Jersey corporation, is engaged in biomedical laboratory services for the geriatric population. During the preceding 12 months, the Employer has received gross revenue in excess of \$250,000 and during the same period of time has received income of at least \$50,000 from outside the state of New Jersey.

⁵ The parties stipulated and I find that the Petitioner is a labor organization within the meaning of Section 2(5) of the Act.

⁶ The record reveals that there is no history of collective bargaining for the sought after employees and no contract or other bars to an election in this matter.

I. STATEMENT OF FACTS

The Employer, which has its headquarters in East Brunswick, New Jersey, is a biomedical laboratory that specializes in serving the geriatric population. The Employer has 385 clients throughout New Jersey, Pennsylvania, Delaware, and Maryland. The Employer has approximately 360 employees, with 206 employed as Phlebotomists. Phlebotomists perform biomedical testing, draw blood, and take urine, feces and other bodily specimens at client facilities. Unlike other testing companies, the Employer does not operate Patient Service Centers and does all of its work at the client's facility. As a result, phlebotomists are constantly mobile and do not regularly report to any of the Employer's facilities.

The Employer is open 20 hours a day, 7 days a week. There are two shifts, a morning shift, from 5 a.m. until about 1:30 p.m., and an afternoon shift from 1:30 p.m. until 1 a.m. or 2 a.m. Morning shifts are often routine, with phlebotomists consistently working at the same facilities. Afternoon shifts involve emergency trips and ad hoc assigning of phlebotomists.

Typically, phlebotomists will take the samples at a client facility and deposit them at one of two places, a hub or a drop off site. They are allowed to choose where to drop their samples. A "hub," is a facility rented by the Employer. The Employer operates seven hubs: Milford, Delaware; Philadelphia, Pennsylvania; Cherry Hill, New Jersey; Forked River, New Jersey; Lawrenceville, New Jersey; Little Falls, New Jersey and at its corporate headquarters in East Brunswick, New Jersey. Hubs are normally small offices containing refrigerators, fax machines, supplies and occasionally one or two computers.

Every hub has phlebotomists assigned to it and each hub (with the exception of East Brunswick) is assigned a Team Leader. However, hubs are not necessarily manned fulltime and employees assigned to specific hubs are not required to report to their hub for work. During working hours, the hubs are unlocked but secured by cameras which relay the video back to the Employer's headquarters. Frequently, larger hubs are in areas where the Employer requires space for larger equipment.

A "drop off location" is often a smaller area reserved for the Employer at a client's facility. The Employer operates approximately 30 or 35 drop off locations, though the record is unclear as to their specific locations. Drop off locations are also unmanned and no phlebotomists or Team Leaders are assigned to drop off locations.

The record did not reveal evidence of employee interchange at any of the Employer's hubs or drop off locations. Although the phlebotomists have the opportunity to drop off samples or pick up supplies at different hubs, the record testimony did not establish the frequency of these visits or whether they encounter other employees when they choose to do so. Moreover, given that the Employer's drop off sites are unmanned facilities, it appears that phlebotomists who utilize these locations have little, if any, interchange with other employees.

After a specimen is dropped at a hub or a drop off location, drivers return the specimen to headquarters in East Brunswick, New Jersey. Drivers have a schedule for picking up specimens and occasionally phlebotomists will drop their samples at locations that have later pick up times in order to ensure timely receipt at headquarters. Once the specimens are returned to headquarters, an analysis is performed on the samples and the results are transmitted to the clients via fax.

At issue in this case are the approximately 40 phlebotomists assigned to the Little Falls, New Jersey hub. The Little Falls hub, located at 66 Main Street in Little Falls, New Jersey, is approximately 1,000 square feet. It covers two regions, Northwest 1 and Northeast 2, with each region having a team leader in charge of it. The Little Falls hub has approximately seven to ten full time phlebotomists, with the remaining employees classified as either part-time or per diem.⁷

A. Organizational Structure of the Employer's Phlebotomy Department

The Employer's phlebotomy department has clearly defined rungs of supervision: the department is run by the phlebotomy and logistics supervisor, Dennis Boutote who oversees the five Regional Supervisors. All five Regional Supervisors work out of headquarters in East Brunswick, New Jersey. The Regional Supervisors generally oversee the seven Team Leaders who are each assigned to a hub, with two Team Leaders, Nelly Jacobo and Ana Inchaustegui, assigned to the Little Falls, New Jersey location. There is no Team Leader assigned to the East Brunswick hub. The Team Leaders⁸ oversee the individual phlebotomists. Every phlebotomist employed by the Employer is assigned to a hub.

B. Phlebotomists and Team Leaders

Phlebotomists are typically hired for a given client or to serve as the main phlebotomist for a given client. When hired, phlebotomists are assigned to service facilities close to their homes. Phlebotomist schedules are also kept consistent in order to

⁷ The record does not contain any evidence regarding the number of part-time employees or per diem employees employed at the Little Falls location or the number of hours worked by either the per diem or part-time employees. However, with respect to the issue of the eligibility of the Little Falls employees to vote, I find that the Board's formula as set forth in *Davison-Paxon Co.*, 185 NLRB 21 (1970) to be appropriate. Accordingly, all employees who averaged 4 or more hours of work per week during the quarter prior to the eligibility date shall be entitled to vote in the election directed herein.

⁸ At the hearing, the parties stipulated that the Team Leaders are Section 2(11) supervisors and are to be excluded from the bargaining unit.

build a rapport with the clients and the administration of the facilities where they work. Prior to being hired, a phlebotomist must take a phlebotomy competency test, regardless of previous experience. Once hired, a phlebotomist will receive training from either a Team Leader or senior phlebotomist. Phlebotomists sign in using a “telephony” system on their Company distributed cell phone. They can also sign in using the fax machine that is present at the hub. Phlebotomists receive their assignments via text message to their Company provided cell phone. All assignments come from their Team Leaders.

Many phlebotomists working for the Employer report to a Team Leader. In addition to a light load of “sticking,” or drawing blood, Team Leaders are in charge of maintaining coverage during the morning. Team Leaders verify time and attendance records, calculate mileage to be reimbursed and once a week, Team Leaders are required to go to the Employer’s East Brunswick headquarters to check payroll records for the phlebotomists assigned to their hub. Team Leaders send text messages to phlebotomists to make them aware of their assignments and will assign work given to them by Regional Supervisors. Team Leaders spend about 20-30% of their day at their assigned hub. If employees are running late, they are required to call the facility they are going to, their Team Leader and the East Brunswick headquarters. Team Leaders report to Dennis Boutote, the phlebotomy and logistics supervisor, or one of five Regional Supervisors, depending on the time of day.

Team Leaders typically work from 5 a.m. until 1:30 p.m. After the completion of their shift, issues that would normally be covered the Team Leader are handled by the Regional Supervisors, not a Team Leader from another hub. With respect to hiring, the testimony revealed that the Team Leaders have input into the evaluation process of

applicants. The record did not reveal how often they are called upon to evaluate applicants. Team Leaders are only minimally involved in the discipline of employees as this function is the responsibility of the Employer's Quality Assurance Supervisor.

II. ANALYSIS

In determining an appropriate bargaining unit, the Board seeks to fulfill the objectives of ensuring employee self-determination, promoting freedom of choice in collective bargaining and advancing industrial peace and stability. It is well settled that the Act does not require that a unit for bargaining be the only appropriate unit or even the most appropriate unit. Rather, the Act requires only that the unit be *an* appropriate unit. *American Hosp. Ass'n. v. NLRB*, 499 U.S. 606, 610 (1991); *P.J. Dick Contracting, Inc.*, 290 NLRB 150 (1998); *Morand Bros. Beverage*, 91 NLRB 409, 418 (1950), *enfd.* 190 F.2d 576 (7th Cir. 1951). The Board also has broad discretion in this area, reflecting Congress' recognition of the need for flexibility in shaping the bargaining unit. *Overnite Transportation Co.*, 322 NLRB 723 (1996). Thus, the Board's procedure for determining an appropriate unit under Section 9(b) is first to examine the petitioned-for unit. If that unit is appropriate, the inquiry ends. Generally, the Board attempts to select a unit that is the smallest appropriate unit encompassing petitioned-for employee classifications.

Bartlett Collins Co., 334 NLRB 484 (2001).

The Petitioner has requested a unit composed of all full time, regular part-time and per diem phlebotomists assigned to the Little Falls, New Jersey hub. The Respondent argues that the only appropriate unit is all 206 mobile phlebotomists employed at all seven of its hubs.

Although the unit sought by a petitioning labor organization is a relevant consideration in determining the scope of a bargaining unit, a union is not required to seek representation in the most comprehensive grouping of employees unless an appropriate unit compatible to the unit requested does not exist. *Overnite Transportation Company*, 322 NLRB 732 (1996). Though an employer may seek a broader unit and that unit may be appropriate, it does not necessarily render the petitioner's unit inappropriate. *Overnite Transportation Company, supra*.

The Board has long held that a single location unit is presumptively appropriate for collective bargaining. *J&L Plate*, 310 NLRB 429 (1993); *Bowie Hall Trucking*, 290 NLRB 41 (1988). To overcome the presumption, the challenging party has to show "functional integration so substantial as to negate the separate identity of a single facility unit." *J&L Plate*, 310 NLRB 429 (1993); *Courier Dispatch Group, Inc.*, 311 NLRB 728 (1993). See also: *Hegins Corp.*, 255 NLRB 160 (1981); *Penn Color, Inc.*, 249 NLRB 1117 (1980); *Dixie Belle Mills*, 139 NLRB 629 (1962). The factors that the Board examines in making this determination include: past bargaining history; geographical location of the facilities in relation to each other; extent of interchange of employees; degree of centralized versus local control over daily operations and labor relations; similarities in wages, benefits and working conditions and the differences, if any, in the skills and functions of employees. *Bowie Hall Trucking*, 290 NLRB at 42, citing *Sol's*, 272 NLRB 621(1984); *RB Associates*, 324 NLRB 874 (1997); *Dixie Belle Mills, supra*. These factors must be weighed in resolving the unit contentions of the parties. The heavy burden is on the party opposing a petitioned-for single facility unit to present evidence sufficient to overcome the presumption. *J&L Plate*, 310 NLRB at 429. Even if there are

some factors supporting a multilocation unit, the appropriateness of such a unit does not establish the inappropriateness of a smaller unit. *McCoy Co.*, 151 NLRB 383, 384 (1965).

Based upon the review of the record and on the basis of the following, I find that the Employer has failed to present evidence sufficient to overcome the presumption in favor of a single-facility unit.

The record revealed no bargaining history at any of the Employer's locations. Additionally, the record revealed no differences in wages, benefits, working conditions, skills or functions amongst any of the phlebotomists at issue.

With respect to the issue of the extent of employee interchange, the record did not reveal substantial employee interchange between the Employers's various hubs. There is no evidence that employees assigned to one hub have any interaction with other hubs, or with the phlebotomists assigned to the other hubs. Although it is undisputed that phlebotomists have the opportunity to drop off samples or pick up supplies at different hubs, the Employer did not present any evidence of frequent, substantial or significant interchange. In this regard, I note that at the hearing, three phlebotomists testified they have never been to any of the other hubs, aside from the Employer's East Brunswick facility. I also note that the Employer's own witness, President Peter Guaditis, acknowledged that there is little interaction amongst all employees due to the nature of its business.⁹ It is well established that minimal employee interchange and lack of meaningful contact between employees at different facilities diminishes the significance

⁹ Although Respondent argues that interchange is significant "to the extent that" phlebotomists will drop samples outside of their particular area, I find that this expectation is speculative and hypothetical given that the phlebotomists can choose where to drop off their samples. Even if I were to credit this interaction as interchange, the Board has held that "employee interchange made at the convenience of employees is not entitled to much weight in determining the scope of the bargaining unit." *Bowie Hall Trucking*, 290 NLRB 41, 43, citing *Renzetti's Market*, 238 NLRB 174 (1978).

of the functional integration and distance between the facilities. *J & L Plate*, 310 NLRB 429 (1993). The party opposing the single facility presumption has the burden of presenting sufficient evidence to rebut that presumption and must establish the context and percentage of interchange among the total number of employees. See, *New Britain Transportation*, 330 NLRB 397 (1999). In the instant matter, the Employer was unable to provide evidence of employee interchange and consequently, it did not meet its burden.

With respect to the geographic locations of the various hubs, I find that this factor also does not support the Employer's assertion that a multi-location unit is appropriate. In this regard, I note that the Little Falls hub is significantly removed from the Employer's other hubs. While the record does not contain specific evidence of the geographic distances between hubs, I take administrative notice that the closest hub to Little Falls is 41 miles away and the farthest hub from Little Falls is 188 miles away. While geographic separation is not necessarily conclusive, it is a strong indicator that a single location unit is appropriate. *Dixie Bille Mills*, supra, *Van Lear Equipment, Inc.*, 336 NLRB 1059 (2001). In *D & L Transportation*, 324 NLRB 160 (1997), the Board found a single bus terminal location to be appropriate where the other terminals were between 3 and 21 miles apart. See also, *New Britain Transportation*, 330 NLRB 397 (1999) (separation of 6 to 12 miles).

Clearly, the record reveals evidence of standardized and centralized control of labor and employment policies, procedures and benefits. However, the Board has found that the existence of centralized administration and control was not inconsistent with finding sufficient local autonomy to warrant a single location. *New Britain Transportation Co.*, 330 NLRB 397 (1999). Respondent contends that Employer

maintains all control over the daily operations from its East Brunswick offices. In the instant case, every hub (except East Brunswick) has its own Team Leader on site, with Little Falls having two. The Team Leaders are responsible for the day to day supervision of the phlebotomists assigned to their hub. Local autonomy of operations will militate toward a separate unit. *Angelus Furniture Mfg. Co.*, 192 NLRB 992 (1971). In the instant matter, Team Leaders have responsibility over assigning some work, maintaining coverage, verifying time and attendance records, calculating mileage to be reimbursed and checking payroll records. Team Leaders also have a role in hiring, evaluating potential employees, annual evaluation of phlebotomists and an indirect role in discipline. Though no Team Leader testified, President Guaditis testified that Team Leaders spend 20-30% of their time in the hubs. Additionally, the phlebotomists who testified said that they only received information from their respective Team Leaders and have never dealt with other members of management. The Employer adduced no evidence to indicate that management spent any time whatsoever in the hubs. Therefore, Team Leaders are “the highest level of supervisory authority” present at the hubs, which weighs toward finding a single location unit. *Angelus Furniture Mfg. Co.*, *infra*.

When the facts describe an operation that is centralized and standardized, a unit less than company-wide can be appropriate, notwithstanding a high degree of centralized administration. *L'Eggs Products, Inc.*, 236 NLRB 354 (1978). Here, the presence of local supervisors with their authority is evidence that individuals at the hubs are vested with authority. *Bowie Hall Trucking*, 290 NLRB 41, 43 (1988) (single facility unit found appropriate where local manager conducted initial screening for new hires and was consulted on major disciplinary issues); *Esco Corp.*, 298 NLRB 837 (1990) (single

facility unit found appropriate despite absence of statutory supervisor assigned to excluded facility, where leadmen oversaw excluded operation).

Moreover, despite evidence of centralized labor policy, the Employer's hubs are not so substantially interdependent or functionally integrated that a broader unit is required. *Southern California Water Company*, 228 NLRB 1296, 1297 (“[O]perations are not so functionally integrated that a cessation of work in one [hub] would cause a system wide shutdown of operations”). The evidence indicates that phlebotomists may choose to use any hub or drop off site that is convenient, but the plethora of options available to a phlebotomist to drop his specimens simply proves the lack of reliance on any one hub or drop off site.

In sum, I find that the supervisory status of Team Leaders at the Little Falls location, the geographical separation of the various hubs and the lack of any substantial employee interchange are significant factors establishing the appropriateness of a single facility unit. Clearly, the record reveals that the single location presumption has not been rebutted and the requested unit scope is appropriate.

The Employer cites *Trane*, 339 NLRB 866 (2003), *Laboratory Corp. of America Holdings*, 341 NLRB 1079 (2004) and *Technology Services Solutions*, 149 L.R.R.M 1302 (1995) for support of its assertion that only a multi-location unit is appropriate. I find that all of these cases are distinguishable and do not disturb my conclusion. In *Trane*, the Board specifically noted: 1) un rebutted evidence of interchange between all facilities at issue, despite their geographic distance (108 miles) from one another and 2) “hundreds” of transfers between facilities each year, an easily observable pattern that the Board described as “unchallenged.” In the instant case, the record failed to reveal any evidence

of substantial interchange between the Little Falls location and any of the other hubs. Moreover, the record also failed to reveal evidence of employee transfers.

In *Technology Services Solutions*, the Board, in a case with very “unusual facts” found that the geographic territory of a Customer Service Manager was not analogous to a single facility and therefore, the single facility unit presumption did not apply. In that case, the Board noted that what was being argued as a single facility was merely a geographic territory assigned to various supervisors. The Board held that the territories did not have any facility, structure or area for employees to assemble. Indeed, there was no area for employees to assemble if they wanted to. This is very different from the instant case where the hubs, despite their modest size, provide a physical structure where employees are assigned, regardless of the number of times that they visit the facility. Additionally, in *Technology Services*, the territorial areas were “shifting and fluid” and already had shifted a number of times in the previous 16 months. Moreover, when an employee worked out of their geographic territory, he or she reported to a different supervisor. In the instant case, the record revealed no instability in the territorial structures and the testimony established that each phlebotomist is assigned to a hub, they report to their Team Leader regardless of where they drop their sample and never report to a different Team Leader. Therefore, I find the facts of the instant case are clearly distinguishable from the “unusual facts” of the Board’s holding in *Technology Solutions*.

In *Laboratory Corporation*, I note that the facts of that case are also easily distinguishable. Crucial to the Board’s decision was that the Union was attempting to establish a bargaining unit based of employees who reported to an individual supervisor who was responsible for 7 patient service centers. Alternatively, the Employer asserted

that only a unit of all 29 patient service centers within the Southern New Jersey Region constituted an appropriate unit. The Board accepted the Employer's argument due to changes in the individual supervisor's job responsibilities, common supervision at a regional level, significant temporary exchange within the region and contact among all employees during meetings and training programs. Furthermore, the Board showed deference to the Employer's organizations structure, saying "it is clear that the Employer has divided its organizational structure into divisions, subdivisions and regions. Notably, the seven petitioned-for PSCs do not comport with any of these administrative groupings." *Laboratory Corporation*, 341 NLRB at 1082. In our case, none of these factors are present. As previously stated, in the instant case, the record revealed no changes among supervisors, common supervision of the various hubs occurs only at the highest levels of the phlebotomy department, there was no evidence of exchanges and no evidence of meetings of all of the phlebotomists from all of the hubs.

Accordingly, I conclude that based on the record as a whole, that the lack of employee interchange, the limited contact between employees throughout the Employer's system and the presence of local supervision outweigh the centralization of functions and commonality of skills, such that I cannot find there is functional integration so substantial as to require a unit including all seven of Employer's hubs. In these circumstances, the considerable lack of geographic proximity militate against a finding that only a multi facility unit is appropriate. I therefore will direct an election in the petitioned for single location unit of drivers.

I also note that the Board has held that a union's position as to the unit is always a relevant consideration, albeit not a determinative one. *Mark's Oxygen Co.*, 147 NLRB

228 (1964); *Airco Inc.*, 273 NLRB 348 (1984). In this regard, noting the Petitioner's desire as to the unit is consistent with the factual and legal analyses described above, and based upon the record as a whole, I find the Petitioner's proposed unit to be appropriate in scope for the reasons articulated above and will order an election therein.

III. DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the undersigned in the unit found appropriate at the time and place set forth in the notice of election to be issued subsequently. Eligible to vote in the election are those in the unit who were employed during the payroll period ending immediately before the date of this Decision, including employees who did not work during that period because they were ill, on vacation or temporarily laid off. Employees engaged in an economic strike who have retained their status as strikers and have not been permanently replaced are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike that have retained their status as strikers but who have been permanently replaced, as well as their replacement, are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are (1) employees who have quit or been discharged for cause since the designated payroll period; (2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and (3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced. Those eligible to vote shall vote whether or not they desire to be represented for

collective bargaining purposes by **District 1199J, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO.**

IV. LIST OF VOTERS

In order to ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties in the election should have access to a list of voters and their addresses, which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 394 U.S. 759 (1969). Accordingly, it is hereby directed that within seven (7) days of the date of this Decision, two (2) copies of an election eligibility list containing the full names and addresses of all the eligible voters in the unit found appropriate above shall be filed by the Employer with the undersigned, who shall make the list available to all parties to the election. *North Macon Health Care Facility*, 315 NLRB 359 (1994). In order to be timely filed, such list must be received in NLRB Region 22, 20 Washington Place, Fifth Floor, Newark, New Jersey 07102, on or before **April 15, 2010**. No extension of time to file this list shall be granted except in extraordinary circumstances nor shall the filing of a request for review operate to stay the requirement here imposed.

V. RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street, N.W., Washington, D.C. 20570-0001. The Board in Washington must receive this request by **April 22, 2010**. The request

may be filed electronically through E-Gov on the agency's website, www.nlr.gov, but may not be filed by facsimile¹⁰.

Signed at Newark, New Jersey this 8th day of April, 2010.

/s/ J. Michael Lightner
J. Michael Lightner, Regional Director
National Labor Relations Board
Region 22
20 Washington Place – 5th Floor
Newark, New Jersey 07102

¹⁰ To file the request for review electronically, go to www.nlr.gov and select the E-Gov tab. Then click on the E-Filing link on the menu and follow the detailed instructions. Guidance for E-filing is contained in the attachment supplied with the Regional Office's initial correspondence on this matter and is also located under "E-Gov" on the Agency's website, www.nlr.gov.